

Kent Ries
State Bar No. 16914050
2700 S. Western St., Suite 300
Amarillo, Texas 79109
(806) 242-7437
(806) 242-7440 – Fax
kent@kentries.com

COUNSEL FOR TRUSTEE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:

MICHAEL STEPHEN GALMOR.

Debtor.

And

**GALMOR'S/G&G STEAM SERVICE,
INC.,**

Debtor.

KENT RIES, TRUSTEE,

Plaintiff,

V.

**GALMOR FAMILY LIMITED
PARTNERSHIP and GALMOR
MANAGEMENT, L.L.C.,**

Defendants.

CASE NO. 18-20209-RLJ-7

CASE NO. 18-20210-RLJ-7

ADVERSARY NO. 20-2003

AGREED MOTION FOR CONTINUANCE OF SCHEDULING ORDER AND TRIAL

TO THE HONORABLE ROBERT L. JONES, BANKRUPTCY JUDGE:

COMES NOW, Kent Ries, Trustee (“Trustee”) of the referenced Chapter 7 bankruptcy estates and Plaintiff herein, and hereby files his Motion for Continuance of Trial (the “Motion”), and would show the Court the following:

1. This Adversary Proceeding was initiated on April 24, 2020 as a severed claim from Adversary Proceeding No. 19-2006. On May 29, 2020, Plaintiff filed its First Amended Complaint against Galmor Family Limited Partnership and Galmor Management, L.L.C., (“Defendants”). The Complaint is to establish a debt due by the Defendants to the bankruptcy Estates.

2. Docket call for the trial is currently set for 1:30 p.m. on July 15, 2021.

3. The parties request a new trial docket date for this Court’s February, 2022 Amarillo Docket. The parties have reached an agreement on that trial date.

4. A continuance of the current docket call is in the best interests of the parties, as additional time is necessary to allow the parties time to resolve this case, or alternatively, to perform discovery and prepare for trial. The parties have sent paper discoveries to each other and two deposition have been taken with others being scheduled. Further, the parties had focused their time on Adversary Proceeding No. 19-2006, which included a liquidation of real estate that would be used to pay any judgment that arises in this Adversary Proceeding. As of February, 2021, all nine tracts of real estate have been sold and closed pursuant to the Agreed judgement in that Adversary Proceeding, resulting in a net return of \$1,742,762.50.

5. The parties also request the Court to reset the pretrial dates with this continuance consistent with the parties proposed scheduling plan as follows:

a. Rule 7026(a)(1)(A) disclosures are waived.

- b. Paper discovery that is outstanding must be answered by July 9, 2021. Any further paper discovery must be served by July 16, 2021.
- c. Rule 26(a)(2) disclosures shall be made by August 16, 2021 for principal experts, and by September 30, 2021 for rebuttal experts, if any.
- d. Discovery, including depositions, must be completed by October 29, 2021.
- e. Dispositive motions must be filed by November 18, 2021
- f. Each party shall file and exchange with opposing counsel a list of witnesses and exhibits by January 20, 2022. Each exhibit shall be marked with an exhibit label, Plaintiff using numbers; Defendant letters. All exhibits not objected to in writing by February 3, 2022 shall be admitted into evidence at trial without further proof, except for objections to relevance. The foregoing shall not apply to impeachment evidence.
- g. A joint pretrial order in compliance with Local District Rule 16.4 shall be filed, served and uploaded for Court entry by February 1, 2022. All counsel are responsible for preparing the joint pretrial order, which shall contain the following: (a) summary of the claims and defenses of each party; (b) a statement of stipulated facts; (c) a list of contested issues of fact; (d) a list of contested issues of law; (e) an estimate of the length of trial; (f) a list of additional matters which would aid in the disposition of the case; and (g) the signature of each attorney.
- h. Proposed findings of fact and conclusions of law shall be filed by February 1, 2022. Trial briefs addressing contested issues of law may be filed by February 1, 2022.
- i. The deadline to identify witnesses by deposition with transcript is January 20, 2022, and portions of any transcript sought to be admitted shall be specifically designated. The deadline to object to witnesses by deposition and/or to identify other

portions of the transcript, is February 3, 2022. The foregoing does not apply to impeachment transcripts.

6. This continuance is not sought for the purpose of delay, but rather to permit all the parties to limit legal expenses, conclude discovery and conduct settlement discussions while continuing forward to prepare for trial.

WHEREFORE, PREMISES CONSIDERED, the parties respectfully request that the Court enter an Order granting this Motion, continuing the trial date and granting the parties such other and further relief, general or special, at law or in equity, to which they may be justly entitled.

Respectfully Submitted,

Kent Ries, Attorney at Law
2700 S. Western St., Suite 300
Amarillo, Texas 79109
(806) 242-7437
(806) 242-7440-Fax

By: /s/ Kent Ries
Kent Ries
State Bar No. 16914050
COUNSEL FOR TRUSTEE

CERTIFICATE OF CONFERENCE

This certifies that the following have been contacted and that they have the following response to the Motion for Continuance:

Davor Rukavina – Agree
Attorney for Defendants

By: /s/ Kent Ries
Kent Ries

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of June, 2021, a true and correct copy of the above and foregoing Motion was sent electronically via ECF or mailed in the United States mail, postage prepaid, to the party listed below:

Davor Rukavina
Munsch, Hardt, Kopf & Harr
500 N. Akard Street, Suite 3800
Dallas, Texas 75201-6659

/s/ Kent Ries
Kent Ries